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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECHNOLOGY CENTER 3700

In the **PATENT APPLICATION** of:

Marvin Ornstein

Patent No.: 5,718,431

Issued: February 17, 1998

Application No.: 08/804,299

Filed: February 21, 1997

For: **GAMING SYSTEM AND METHOD
FOR MULTIPLE PLAY WAGERING**

Group: 3304

Examiner: B. Layno

Our File: MAO-PT002.1

(Formerly ORN 3.0-002 REISSUE)

**SECOND SUPPLEMENTAL REISSUE DECLARATION,
POWER OF ATTORNEY AND PETITION**

Commissioner For Patents
Washington, D.C. 20231

Sir:

1. I, Marvin Ornstein, a U.S. citizen have read the foregoing specification and claims, and I verily believe that I am the original, first and sole inventor of the invention entitled **GAMING SYSTEM AND METHOD FOR MULTIPLE PLAY WAGERING** and which is described and claimed in U.S. Patent No. 5,718,431 issued February 17, 1998, and that I do not know and do not believe that this invention was ever known or used in the United States before my invention or discovery thereof. My U.S. Patent No. 5,718,431 has been assigned to Mao Inc. and is recorded with the U.S. Patent Office at Reel 9719, Frame 0595.

Reissue Applicant: Marvin Ornstein
Reissue Application No.: 08/804,299

2. I verily believe that I am the original, first and sole inventor of the invention entitled GAMING SYSTEM AND METHOD FOR MULTIPLE PLAY WAGERING and which is described and claimed in Reissue Application Serial No. 09/506,458 filed together with my original Declaration and that I do not know and do not believe that this invention was ever known or used in the United States before my invention or discovery thereof.

3. I hereby state that I have reviewed and understand the contents of the above-identified issued patent, including the specification and claims, as amended, as shown in the preliminary amendment accompanying this Reissue Declaration.

4. I acknowledge a duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

5. I further pray that I may be allowed to surrender the aforesaid United States Patent No. 5,718,431, issued February 17, 1998, and that such Letters Patent may be reissued to me for the same invention upon the foregoing amended claims. With this Petition is filed an Order for an Abstract of Title, duly certified, as is required in such cases.

6. I declare that the above-identified patent is inoperative or invalid by reason of claiming less than I had a right to claim in the patent. More specifically, an error has occurred in the original patent in that the claims of the issued patent are unnecessarily limited due to the

recitation that a player is required to make a conventional bet, as well as a side bet, whereas the main thrust of the invention is the ability to make a bet in which a player selecting the number of consecutive games the player expects to win regardless of whether a conventional bet is made. I am also the inventor of U.S. Patent No. 5,570,885, issued November 5, 1996 entitled ELECTRONIC GAMING SYSTEM AND METHOD, etc. which describes in the specification and recites claims directed only to a game in which a player makes a consecutive win bet absent a conventional bet. In the specification of my U.S. Patent No. 5,718,431, I state that my objective is to provide a non-electrical, non-electromechanical technique for the game disclosed in U.S. Patent No. 5,570,885.

7. That on or about January 3, 2000 and after issuance of U. S. Patent No. 5,718,431, I was preparing my game for use in casinos in the United States. In considering the use of various alternatives of my game, I reviewed the '431 patent and discovered that the claims were unnecessarily limited by including limitations requiring the making of a conventional bet which are not required to achieve the principal objectives of the invention. I brought my analysis of the objectives of the invention to the attention of patent counsel, who confirmed that the claims were so limited and advised that a reissue patent could be requested to correct the unnecessarily limited patent by the addition of claims of a scope which eliminate the requirement that a player make a

conventional bet. Until such time, I was unaware that the claims were so limited. Patent counsel advised that the claims could be broadened by way of a reissue proceeding and I authorized the filing of a reissue application.

New claims 27 and 28 set forth in the Preliminary Amendment accompanying the original Declaration, cure the unduly limited nature of the original claims.

8. All errors set forth hereinabove and in the reissue application up to the time of filing of the Declaration, and being corrected herein, arose without any deliberate or deceptive intent on my part.

9. I have read the Declaration of Louis Weinstein accompanying this Declaration, and hereby ratify its contents.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Reissue Applicant: Marvin Ornstein
Reissue Application No.: 08/804,299


11. I hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Louis Weinstein, Esquire
Registration No. 20,477
Volpe and Koenig, P.C.
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Address all communications regarding this Reissue Application to Louis Weinstein at the above address.

Address all telephone calls to Louis Weinstein at Telephone No. 215-568-6400.

INVENTOR'S FULL NAME: Marvin Ornstein

SIGNATURE OF INVENTOR: 

DATE: June 26, 2001

RESIDENCE: 605 Porter Street, Ocean Springs, MS 39564

CITIZENSHIP: UNITED STATES

POST OFFICE ADDRESS: SAME AS ABOVE